

Lawrence S. Lustberg  
**GIBBONS P.C.**  
One Gateway Center  
Newark, New Jersey 07102-5310  
Tel: (973) 596-4500  
Fax: (973) 596-0545

*Attorneys for Plaintiff*

RECEIVED  
JAN 14 2020  
P. 10

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE SEACH OF ALL ELCTRONIC DEVICES ON THE PERSON OF WAE HANA	Mag. No. 19-8415
IN RE SEACH OF THE PREMISES LOCATED INSIDE 125 RIVER ROAD, SUITE 301, EDGEWATER, NEW JERSEY, 07020	Mag. No. 19-8417
IN RE SEARCH OF THE PREMISES LOCATED AT 100 ALEXANDER WAY, SUITE 710, EDGEWATER, NEW JERSEY, 07020	Mag. No. 19-8418
IN RE SEARCH OF THE PREMISES LOCATED INSIDE 125 RIVER ROAD, SUITE 301, EDGEWATER, NEW JERSEY 07020	Mag. No. 19-8459
WAE HANA,  Plaintiff,  -v-  UNITED STATES OF AMERICA  Defendant.	Civil Action No.: 20-cv- <u>536(GCC)</u>

**DECLARATION OF WAE HANA IN SUPPORT OF  
PLAINTIFF'S MOTION FOR RETURN OF PROPERTY**

I, Wael Hana, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the foregoing is true and correct:

**Background**

1. I am a United States citizen and an Egyptian national who has lived in the United States since April, 2006. I live at 100 Alexander Way, Suite 710, Edgewater, New Jersey 07020.

2. I am the president and founder of IS EG Halal, a company which certifies halal products imported into Egypt. Halal products are products prepared in accordance with Islamic law as set forth in the Quran and are the only type of products that Muslim people may ingest; “halal” literally translates as the English word “permissible.” Halal products include food such as meat and milk, as well as medicine, vitamins, and other substances. Though there are many rules regarding halal products, the chief among them is that they cannot contain pork or alcohol.

3. IS EG Halal is the only company authorized by the Egyptian Ministry of Agriculture to certify halal products imported into Egypt from anywhere in the world. Previously, a terrorist organization known as the Muslim Brotherhood oversaw halal product certification for food imported into Egypt. The Egyptian government took away the Muslim Brotherhood’s authorization to certify halal products in order to deprive the group of financial resources. They gave me the certification because they know that I am not associated with the Muslim Brotherhood and because they trust my work – as an entrepreneur, I own other businesses which import things into Egypt on behalf of the government.<sup>1</sup> They also provided me with employees who can assist

---

<sup>1</sup> My company Loundef Express Group takes bid requests from the Egyptian Ministry of Defense’s office in D.C. The requests ask me to ship goods and materials into Egypt on behalf of the government. I am also currently in contact with a law firm in New York to establish a freight forwarding license company which will be in charge of shipping everything sold by the United States Army to the Egyptian Army.

me with the halal certification – as I am a Christian, I am not experienced in halal certification, so the Egyptian government has provided imams and trained veterinarians to assist me.

4. IS EG Halal's headquarters are based at 125 River Road, Suite 301, Edgewater, New Jersey 07020. The company has existed since November 2017, but actually started doing business in April 2019. In addition to the New Jersey headquarters, IS EG Halal has locations in Montevideo, Uruguay and Sao Paulo, Brazil, and we plan to establish a branch in India. IS EG Halal employs 35 people spread out among its three branches, and works with a large cohort of subcontractors at various slaughterhouses, ports, and other locations.

5. As a part of my role as president of IS EG Halal, I oversee the company's operations in the United States and overseas. I travel to Latin America every two to three months to meet with clients and slaughterhouses, for approximately two to three weeks at a time. I also travel there to discuss contracts and future business ventures. I had hoped and planned to travel to India at the end of last year as well, in order to establish a new branch of the company. My travel frequently requires me to meet with government officials across the world, as they often will seek to trade halal certified exports as a means of increasing their trade with Egypt. Ultimately I plan to establish IS EG Halal branches across the world and will need to travel extensively to accomplish that goal.

#### **The Government Searched My Home and Business**

6. On November 25, 2019, the government executed a search warrant at my home at 100 Alexander Way, Suite 710, Edgewater, New Jersey 07020, and at IS EG Halal's Edgewater headquarters, at 125 River Road, Suite 301, Edgewater, New Jersey 07020. The government entered my home at 6:00 a.m. and began questioning me and seizing my property. The agents who were present asked me about several people I know from Egypt, including an employee at the

Egyptian Embassy. I know those people because I have a large family in Egypt and am active in the Egyptian community through my church. I was not present when the government searched my office.

7. The government seized several business documents from my home and office, including IS EG Halal's incorporation papers and Egyptian governmental authorization letters. The authorization letters give IS EG Halal permission to certify and import halal products into Egypt, and typically must be submitted along with individual shipments of halal products to ensure that they can be unloaded at Egyptian ports.

8. The government took every single piece of paper in the Edgewater headquarters, including vital documents which are necessary for the company to continue to do business, such as the authorization letters mentioned above and shipping and billing records, which are necessary for my employees and I to ensure that our products are arriving in Egypt on time and in the right form. They seized several desktop computers from my office, including a Lenovo Think Center, two HP desktops, a BuyPower desktop, and a Dell desktop. They also seized a Lenovo laptop which my employees use when travelling overseas. They seized my personal Mac Mini laptop, as well as a tablet which I use when travelling overseas, which contains copies of the Egyptian government's authorization letters. The government also seized several servers from my office which store data and are used for my business's day-to-day operations, including a MyCloud server and a Synology server. Those servers store all of my business's data, but most importantly they contain copies of the authorization letters from the Egyptian government and shipping and billing records.

9. The government seized a photo album of a factory in Egypt which I am considering purchasing in a joint venture with my brother. That factory processes wheat and flour.

10. The government additionally seized several cellphones from my home and office. They seized a Samsung cellphone, which is my personal phone. They also seized an iPhone 10 and an iPhone 11, both of which I use for business, as well as a Vertu smartphone which I use when travelling overseas, especially when I am in Egypt.

11. Finally, the government also seized personal items such as my passport, \$5,943.00 in cash, and some jewelry. The jewelry included earrings that I had purchased for my mother for Christmas, a chain I bought for myself in Italy, and four watches.

12. When the government seized this property, they specifically told me that they would return my phone within a day, and everything else within a few days. Specifically, they promised to return everything shortly after Thanksgiving. Obviously, they have failed to live up to those promises.

#### **Need For Return of Property**

13. I need my passport returned immediately. IS EG Halal is an international business and my role in the company requires significant amounts of travel to coordinate our slaughterhouses and shipping efforts across the Americas, develop new business, and establish new offices. I travel to Latin America every two to three months in order to conduct business such as coordinating personnel requirements and negotiating contracts with our partners. I am in the process of opening an office in India and need to travel there as well, which I will do the moment I have an operational passport. The Indian office is unable to open at the moment because I cannot travel there to give my signature on key documents.

14. My inability to travel has already cost the company greatly. The Colombian and Brazilian governments both seek to increase trade with Egypt, and so held meetings with Egyptian trade officials in order to expand the Egyptian business presence within their country. The meeting

with Colombian officials was held on December 3, 2019, and the Brazil meeting was on December 16, 2019. I was invited to both meetings, but could not attend because I do not have my passport. Needless to say, it did not go over well with the Egyptian, Colombian, or Brazilian governments that I had to send a surrogate to such important meetings. At the Brazilian meeting, it was clear that an Egyptian general sent to assist with the discussions expected the president of IS EG rather than a surrogate, and he was displeased that I had not attended.

15. My inability to travel also further impacts the company in other, more mundane ways; when I travel to Latin America every two to three months, I meet with subcontractors and my employees to coordinate logistics, such as how many people will be necessary to produce and ship a certain tonnage of halal products. Those people often cannot come to the United States to have those conversations, and even if they could, all of the relevant locations and materials are in Latin America, where the meetings accordingly should take place in order to be useful. These meetings are often with large companies such as GBS or Minerva, and it is embarrassing, and makes my company look unprofessional, for me to be unable to attend.

16. I also need my passport to visit my family back in Egypt and to go on vacations. I have no family in the United States, and I like to stay close with my Egyptian relatives, whom I planned to visit. I also need to return because I am considering entering a joint venture with my brother in Egypt, as discussed in paragraph 9 above (regarding the photo album with pictures of the factory we are considering purchasing together).

17. I also require my business papers, cellphones, Mac Mini, and tablet, including the Egyptian government's authorization letters to conduct business overseas. I need my cellphones to conduct business and my personal life. I use the Mac Mini as my personal computer, which I also need. I use the tablet when travelling overseas – I typically spend approximately eight hours



on the tablet when travelling, as running a transnational company requires me to be communicating with my employees, subcontractors, clients, and providers constantly.

18. I especially need the business documents, servers, USBs, and computers seized from IS EG Halal's headquarters in Edgewater returned because their absence has created chaos within the company. The government seized all of the authorization letters I have received from the Egyptian government; those letters correspond to individual shipment containers and are necessary in order for the containers to be allowed to be taken in at Egyptian ports. For some shipments, I have serial numbers which correspond to the letters, and I can use those serial numbers to unload the shipments when they arrive at Egyptian ports. Sometimes I have to contact customers to request that they send me copies of the authorization letters, which is embarrassing and makes my company look unprofessional.

19. Without the authorization letters themselves, and without other key information which was seized by the government such as billing records, shipment papers, and the like, I am at the mercy of shippers and customers, who often will claim that the shipments contain the wrong products, or have an incorrect slaughter date, or various other complaints. Without my records, I cannot tell if they are correct, even if they are not. This state of affairs leaves my company appearing very unprofessional and puts us at an informational disadvantage when customers and producers seek to take hard negotiating positions against us. The billing records, shipment papers, and authorization letters are all housed on the servers, USBs, computers, and the business documents which the government seized.

20. My employees cannot work without computers or operational servers, so I have been forced to purchase new computers, servers, and other materials in response to the government's actions. Indeed, the government's actions have already set my business back

significantly. Four employees quit after the government conducted its search because their work was disrupted and because they were concerned that the government was investigating the company. I now need to rehire those employees at the same time that I am attempting to expand into India. Those employees who remain face the chaos of having no billing or shipment records and are constantly fielding questions from clients that they cannot answer.

21. Finally, my cash and jewelry should be returned. The cash is money that I earned from IS EG Halal; I use it as pocket money and in case of emergencies. The jewelry includes four watches (two of which are Rolexes that I got as gifts, two others were purchased), a chain I bought in Italy, and earrings I had specially for my mother for a Christmas gift. I had the earrings specially made after I saw a version of them (which sold for \$70,000) being produced at a friend's factory; I specially designed the earrings for my mother because I liked the design. I do not understand why the government would take my jewelry, which I would like to wear. Even moreso, I want to be able to give my mother those specially made earrings, which I had hoped would be an especially nice Christmas present.

**Inability to Get My Passport Back by Other Means**

22. Because the government has refused to return my passport, I have tried to apply for a new one through the United States Department of State Bureau of Consular Affairs (the "Bureau"). The Bureau told me that they cannot process my application until they have received clearance from officials higher up the chain of authority in the State Department.

Dated: January 11, 2020  
Newark, New Jersey

  
Wael Hana